



May 18, 2017

VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: **Notice of Oral Ex Parte Presentation**
ET Docket No. 16-414, *Evolv Technologies, Inc. Request for Waiver of Sections*
15.35(b) and 15.209(a)

Dear Ms. Dortch:

On May 16, Michael Ellenbogen, Michael Litchfield and the undersigned of Evolv Technology (“Evolv”), along with Russell Fox of Mintz Levin conducted two meetings with FCC staff, in each case regarding the above-referenced proceeding. The first meeting was attended by Rachael Bender, Wireless and International Advisor to Chairman Pai. We summarized the status of this proceeding for Ms. Bender and provided a brief overview of the public interest benefits of the Evolv Edge device – provision of security in a variety of settings more quickly and easily than can be accomplished today – for which waiver is sought. We noted that there is interest in the marketplace to deploy the Edge device and urged the Commission to grant the waiver request quickly.

The second meeting was attended by the following members of the Commission’s staff:

Jamison Prime (OET)	Blaise Scinto (WTB)
Michael Ha (OET)	John Schauble (WTB)
Karen Rackley (OET)	Steve Jones (OET)
Hugh Van Tuyl (OET)	

In our second meeting, we reviewed the content of the waiver request, focusing in particular on how peak and average power are measured, as described more fully in the waiver request. We noted that despite the difference in the way that peak and average power are measured, the Evolv Edge devices have an interference profile similar to that of devices in use today that the Commission has already approved. Operation of the Edge devices will be no more impactful on current and future licensed services in the affected frequency bands than the devices already approved for use. We also reviewed the public interest benefits of the Edge device, including the interest expressed by a range of federal and non-federal entities in using the device to enhance security.

Finally, we reiterated that Evolv would maintain a database of locations where the Edge devices are located to help identify the source of any potential interference. The database will be



publicly available. To ensure that the database is accurate, in any contract for sale of the Edge device, we will include a requirement that the customer identify all potential locations of the units purchased from Evolv. That information will be used to populate the proposed database. We will also contractually require each customer to notify us 24 hours in advance if any of the devices are moved to a location that has not been previously included in the device database. Evolv will then update the database within 12 hours of receipt of that information. Upon notification that interference to licensed services is being caused by an Edge device, Evolv will, consistent with obligations under Part 15, mitigate that interference, including terminating use of the Edge device if required.

Pursuant to Section 1.1206(b) of the Commission's rules, a copy of this letter has been electronically submitted in the record of this proceeding and sent via e-mail to each member of the Commission's staff with whom we met.

Respectfully submitted,

/s/ Rick Abraham

Rick Abraham
Market Development